IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2331 of 1984

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI
and
Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

HIMATSING DHANSING

Versus

EMPLOYEES STATE INSURANCE CORP

Appearance:

MS ASHA H GUPTA for Petitioner

MR SR SHAH for Respondent

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI
and
MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 30/08/2001

ORAL JUDGEMENT (Per : MR.JUSTICE RAVI R.TRIPATHI)

Learned advocate for the petitioner is not present. However, Mr.S.R. Shah, learned advocate for the respondent points out that this Court while admitting this matter, had passed an order to the effect that,

> "Rule. To be heard with Special Civil Application No.1866/ 82, 1174/82, 5640/82 and 4939/83."

2. Mr.S.R. Shah, learned advocate further pointed out that all those petitions with which this petition was ordered to be heard were withdrawn by the learned advocate and they were disposed of as withdrawn in the year 1994. Mr.Shah, learned advocate also pointed out that the challenge to vires of section 62 of the Employees' State Insurance Act, 1948 and Regulation 76B of the Employees' State Insurance (General) Regulation, 1950 was given up by the learned advocate appearing for the petitioner having realised that said challenge is not in the interest of the workers at large. Mr.Shah also pointed out that this was only through oversight that the matter was not listed at the relevant time when other matters were disposed of.

3. In view of the aforesaid submissions made by Mr.Shah, this petition is also disposed of accordingly. Rule is discharged. No order as to costs.

(D.M. Dharmadhikari, C.J.)

(Ravi R. Tripathi, J.)

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